

REMARKS

Applicant appreciates the continued examination as evidenced by the final Office Action dated June 11, 2008 (the Action).

Claims 1, 2, 3, 5, 7, 12, 13 and 16 stand rejected in the Action under 35 U.S.C. 103(a) as being anticipated by European Patent Application EP 0311807 to Kabushiki ("Kabushiki") in view of "How I made these Animations" by Matt Keveney ("Keveney"). Claims 14 and 15 stand rejected in the Action under 35 U.S.C. 103(a) as being unpatentable over Kabushiki in view of Keveney and U.S. Patent No. 5,548,084 to Tracy ("Tracy"). Claims 4, 6, 8, 9, 10 and 11 stand rejected in the Action under 35 U.S.C. 103(a) as being unpatentable over Kabushiki in view of Keveney and U.S. Publication No. 2003/0026593 to Betti ("Betti").

Applicant hereby requests reconsideration for the following reasons.

Claim 1 recites as follows (emphasis added):

1. A method of determining usability of a coded file in an application, the method including obtaining at least one property of the coded file, matching the property against at least one application where the file could be used, generating an indication indicating whether or not the file can be used in the application based on the matching, and associating the indication with the coded file for later enabling of a decision about use of the file in the application, wherein the application uses a certain type of file but has limitations regarding the properties of the type of file, and the property comprises color depth, width of picture, height of picture and/or animation information.

As emphasized above, Claim 1 states that the property includes color depth, width of picture, height of picture and/or animation information. Embodiments according to the current invention may be provided in the context of a communicative environment, where it is possible to receive files from various different sources (that may or may not be compatible). Some applications can handle a type of file (*e.g.*, a file that is run by a given application), but have limitations regarding the properties of these files, such as the color depth, width of picture, height of picture and/or animation information. For example, the recipient of a file may be able to open a type of file with a certain application, but have limits

as to the properties of the file, including color depth, width of picture, height of picture and/or animation information.

In response to Applicant's paper of May 20, 2008, the Action states as follows with respect to the electronic document filing apparatus of Kabushiki (emphasis added):

it would have been obvious ... to recognize that since at least Windows 95 any application file is coded some way virtually, which means all file extension [sic] are associated to application programs. Therefore the search mechanism of Window operating system can match the property against at least one application where the file could be used. See the Action, pages 3-4.

Thus, Kabushiki merely recognizes a file extension (which the Action identifies as analogous to a "property") and matches it with the appropriate application. Although the Action concedes that Kabushiki does not disclose that the property includes a color depth, width of picture, height of picture, and/or animation information, the Action cites Keveney as allegedly disclosing this feature. However, Keveney is merely a discussion of how to make an animation with a CAD program. Applicant submits that Keveney does not relate to matching a property, i.e., color depth, width of picture, height of picture and/or animation information and generating an indication of whether the file can be used based on the matching.

Thus, even if Kabushiki were combined with Keveney, the result would be a program that recognizes an animation file (e.g., a CAD file) and identifies the file and appropriate application based on the identifying extension (e.g., ".CAD") of the animation file. The combination of Kabushiki and Keveney does not disclose various recitations of Claim 1, such as, obtaining at least one property of the coded file (including color depth, width of picture, height of picture and/or animation information), matching the property (including color depth, width of picture, height of picture and/or animation information) against at least one application where the file could be used, generating an indication indicating whether or not the file can be used in the application based on the matching, and associating the indication with the coded file for later enabling of a decision about use of the file in the application,

where the application uses a certain type of file but has limitations regarding the properties of the type of file (including color depth, width of picture, height of picture and/or animation information).

Moreover, Applicant submits that there is no apparent reason to combine Keveney with Kabushiki as required under 35 U.S.C. 103(a). The Action states that it would have been obvious to "combine the teachings of Keveney into the teachings of Kabushiki because such combination [sic] would have reduce [sic] the work load so more pictures can be published faster as suggested by Keveney. (See pg.1: fourth paragraph)." See the Action, page 7. Applicant respectfully disagrees.

In particular, Keveney states as follows (emphasis added):

A lot of folks send me e-mail asking how these animations were made. The process I use is a laborious one that I can't really recommend if you want to do this regularly ... But now, I'm looking into alternatives to reduce the workload so I can get more pictures published faster. If you really want to do it my way, here's an outline.

Keveney does not even disclose any of the "alternatives to reduce work load." Thus, the only reason for the combination of Kabushiki and Keveney presented in the Action is based on the undisclosed "alternatives to reduce work load," and, consequently, Applicant submits that no reasons have been presented to support the combination of Kabushiki and Keveney. In addition, even if Keveney did disclose faster animation alternatives, there is no apparent reason to combine the animation techniques of Keveney with the information processing apparatus for electrically filing documents proposed by Kabushiki.

In summary, the Action fails to make a *prima facie* case of obviousness because 1) the combination of Kabushiki and Keveney does not disclose all of the recitations of the claims and 2) there is no reason presented to make the proposed combination. For at least these reasons, Applicant submits that Claim 1 is patentable over Kabushiki and Keveney.

The recitations discussed above that are not disclosed by Kabushiki and Keveney are also not disclosed in Tracy or Betti. Independent Claims 7 and 16 include recitations similar

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to those discussed above and are likewise patentable over the cited art. Claims 2-6 and 8-15 depend from Claims 1 and 7, respectively, and are patentable at least per the patentability of the claims from which they depend.

Accordingly, Applicant requests that the rejections of Claims 1-16 be withdrawn.

CONCLUSION

Accordingly, Applicant submits that the present application is in condition for allowance and the same is earnestly solicited. The Examiner is encouraged to telephone the undersigned at 919-854-1400 for resolution of any outstanding issues.

Respectfully submitted,



Laura M. Kelley
Registration No. 48,441

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on November 6, 2008.

Signature: _____


Joyce Pabli